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Republic Silver State Disposal, Inc.
d/b/a Republic Services of Southern Nevada
(erroneously sued as Republic Services, Inc.)*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LUIS CARBAJAL, an Individual,

Plaintiff,

vs.

REPUBLIC SERVICES, INC., a Nevada
Corporation, DOES I-X; and ROE
CORPORATION I-X,

Defendants.

Case No. 2:18-cv-00722-APG-NJK

**STIPULATION AND ORDER TO (1)
DISMISS REPUBLIC SERVICES, INC.
WITH PREJUDICE, (2) ADD
DEFENDANT REPUBLIC SILVER
STATE DISPOSAL, INC. dba
REPUBLIC SERVICES OF SOUTHERN
NEVADA AS THE PROPER
DEFENDANT, and (3) AMEND THE
CASE CAPTION**

Defendant Republic Silver State Disposal, Inc. d/b/a Republic Services of Southern Nevada (“Defendant”), erroneously sued as Republic Services, Inc., and Plaintiff Luis Carbajal hereby stipulate as follows:

Plaintiff was employed by Republic Silver State Disposal Inc. dba Republic Services of Southern Nevada, but erroneously named his former employer as “Republic Services, Inc.” Plaintiff was never employed by Defendant Republic Services, Inc., which is the incorrect corporate entity. The proper entity that employed Plaintiff, Republic Silver State Disposal, Inc., is a wholly owned subsidiary of Republic Services, Inc. In the interest of judicial economy, and to avoid the unnecessary time and cost of motion practice, the parties have agreed to correct this mistake by

1 dismissing the mistakenly named incorrect entity, “Republic Services, Inc.,” and adding in as the
2 proper party Defendant Republic Silver State Disposal Inc. dba Republic Services of Southern
3 Nevada, Plaintiff’s prior employer.

4 Defendant Republic Silver State Disposal Inc. dba Republic Services of Southern Nevada
5 waived the service requirement and filed its Answer as the correct party in this matter on May 15,
6 2018. Thus, the Parties have stipulated to the following:

- 7 1. That Defendant Republic Services, Inc. be dismissed from this action with prejudice;
- 8 2. That Defendant Republic Silver State Disposal Inc. dba Republic Services of
9 Southern Nevada be named as the proper Defendant, undersigned counsel having been authorized
10 to accept service of Plaintiff’s Complaint against Republic Silver State Disposal Inc. dba Republic
11 Services of Southern Nevada and file an answer on its behalf on May 15, 2018;
- 12 3. That the caption be revised to reflect that the entity identified as “Republic Services,
13 Inc.” shall be stricken from the caption; and
- 14 4. That the caption be revised to reflect the addition of “Republic Silver State Disposal
15 Inc. dba Republic Services of Southern Nevada” as the properly named Defendant.

16 This stipulation is submitted and based upon the following:

- 17 1. Defendant Republic Silver State Disposal Inc. dba Republic Services of Southern
18 Nevada was Plaintiff’s employer and is the proper Defendant in this action. As such, there is good
19 cause for dismissing Republic Services, Inc., adding Republic Silver State Disposal Inc. dba
20 Republic Services of Southern Nevada as the proper Defendant, and for correcting the Caption;
- 21 2. Defendant Republic Silver State Disposal Inc. dba Republic Services of Southern
22 Nevada has authorized its undersigned counsel to accept service of the Complaint on its behalf (to
23 avoid any additional cost to Plaintiff or delay), and previously filed its Answer;
- 24 3. This request is made in good faith, in the interest of judicial economy and to save

1 the Parties the time and expense of motion practice to name the proper Defendant and correct the
2 Caption, and is not for the purpose of delay.

3 Respectfully submitted this 25th day of June, 2018.

4 HKM Employment Attorneys LLP

JACKSON LEWIS P.C.

6 /s/ Jenny L. Foley

7 Jenny L. Foley, Ph.D., Esq.
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9 *Attorney for Plaintiff*
10 *Luis Carbajal*

/s/ Daniel I. Aquino

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*Attorneys for Defendant Republic Silver State
Disposal, Inc. d/b/a Republic Services of
Southern Nevada (erroneously sued as
Republic Services, Inc.)*

14 **ORDER**

15 IT IS SO ORDERED this 25th day of June, 2018.

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19 UNITED STATES DISTRICT JUDGE

20 4846-5336-6633, v. 1